

Message

From: Rice, Scott [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EE813811B50C42F4B4F76BD053556227-SRICE]
Sent: 3/30/2017 2:56:57 PM
To: pizarro, luis [pizarro.luis@epa.gov]; Smith, Barbara [Smith.Barbara@epa.gov]
CC: Pratt, Stacie [Pratt.Stacie@epa.gov]
Subject: Re: Momentive - blast from the past

It sounds like pretty much everyone who was consulted was in agreement that this is pre '78 so I agree that is the best route to go Luis. Regards

From: pizarro, luis
Sent: Thursday, March 30, 2017 10:41:40 AM
To: Rice, Scott; Smith, Barbara
Cc: Pratt, Stacie
Subject: Momentive - blast from the past

Scott/Barbara

So yesterday conversation with Momentive triggered a “déjà vu” moment and I looked back into my email vault.

Turns out that we deal with this very issue back in 2013.

Momentive is MPM (Momentive Performance Materials)

WVDEP got us involved, as MPM, who had bought the site from GE/Chemtura, was upset at Chemtura when they found out they site had PCB contamination. MPM asked WVDEP to make them Chemtura take care of it. WVDEP passed the buck to us.

We did an information request to Chemtura/MPM and, serendipitously, Stacie did the leg work of the review.

We concluded (after consulting with ORC, Kelly, Ruth) we did not have authority under RCRA CA to require remediation of PCB contamination, as there was documentation that PCB were disposed in the area near the WWT pre-1978. (see enclosed memo).

What's next? I want to reach back to Momentive, and simply tell them to invoke the § 761.50(b)(3)(i)(B), which relieve them from remediation, while encouraging to do the right thing.

I also would contact Jake

Thoughts?

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US EPA Region 3
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From: Pratt, Stacie
Sent: Thursday, April 04, 2013 1:30 PM
To: pizarro, luis <pizarro.luis@epa.gov>
Cc: Nadolski, Cynthia <Nadolski.Cynthia@epa.gov>; Wentworth, William <Wentworth.William@epa.gov>
Subject: MPM - Memo to File

Hi Luis – Per our discussion, here is the MPM memo to file. Cynthia has reviewed it as well.

Thanks again for the opportunity to work on this – I really enjoyed it. If anything else comes up that you think would be a good fit for me to work on, please let me know.

FYI – I finished the EJ stuff for WV as well.

Stacie Pratt, Office of State Programs - 3LC50
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